IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

O R D E R

B.K. Tiwari Vs. Smt. Beenu Surolia & anr.

SB CRIMINAL MISC.PETITION NO.958/2003
under Section 482 Cr.P.C.

Date of Order :- **5/9/2006.**

P R E S E N T
HON'BLE MR.JUSTICE HARBANS LAL

None present for the petitioner.
Mr. Arun Sharma P.P. for the State.

****

BY THE COURT:-

The instant petition under Section 482 Cr.P.C. seeks quashing of the order dated 23/7/2003 passed by the learned Special Judge (Fake Currency Notes) Cases, Jaipur City, Jaipur in Cr.Revision No.157/03 vide which the order dated 23/5/2003 passed by the learned Additional Civil Judge (Junior Division)-cum-Judicial Magistrate, First Class No.7, Jaipur city, Jaipur in Criminal Case No.68/1996 has been upheld.

The relevant facts giving rise to this petition are that a case for the offences under Sections 409, 420, 423, 467, 468, 471 and 120-B IPC came to be registered on the basis of a complaint filed on 27.11.1995 by non-petitioner No.1 Smt.Beenu Surolia wherein after investigation charge-sheet was filed. The application was filed under Section 294 Cr.P.C. alongwith three documents on 7.7.2001 praying for permission to get admission and denial

of the said three documents but the same was dismissed and the charges for offence under Section 420/120B IPC were framed against the accused petitioner on 23.5.2003. The revision filed against the said order was dismissed as indicated above. Hence, this petition.

Since no one has put in appearance on behalf of the petitioner, I have heard learned Public Prosecutor for the State and have perused the impugned order and the relevant documents myself.

This petition appears to have been filed to circumvent the bar on filing of second revision provided under Section 397(3) Cr.P.C. which is not permissible under the law. It is well settled that the extraordinary inherent powers vested in this Court under Section 482 Cr.P.C. ought to be exercised very sparingly and with circumspection to prevent the abuse of the process of the court or to secure the ends of justice. But, no such case having been made, this petition is not maintainable.

Consequently, the petition u/S.482 Cr.P.C. being not maintainable and devoid of merit and force is hereby dismissed.

(HARBANS LAL), J.

anil

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

O R D E R

B.K. Tiwari Vs. Smt. Beenu Surolia & anr.

S.B. CR.MISC.STAY APPLICATION NO.757/2003
IN
SB CRIMINAL MISC.PETITION NO.958/2003
under Section 482 Cr.P.C.

Date of Order :- **5/9/2006.**

P R E S E N T
HON'BLE MR.JUSTICE HARBANS LAL

None present for the applicant-petitioner.
Mr. Arun Sharma P.P. for the State.

****

BY THE COURT:-

Consequent upon the dismissal of the main petition today itself, this stay application also stands dismissed.

(HARBANS LAL), J.

anil